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BY: Helene Label

DATE: January 3, 2003

PATENT  
Box RCE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re: Patent Application of : Group Art Unit:  
Eugene Roussel : **1642**  
:  
Appln. No.: 09/756,978 : Examiner:  
: Misook Yu, Ph.D.  
Filed: January 9, 2001 :  
: Conf. No. 6809  
:  
For: THERAPEUTIC MODULATION OF THE : Attorney Docket  
TUMOR INFLAMMATORY RESPONSE : No. **10582-1US**

**PRELIMINARY AMENDMENT**

This Preliminary Amendment replies to the issues raised in the final Office Action dated 3 July 2002 (Paper No. 11) in the patent application referenced above, in view of the discussion of Examiner Davis' concerns that underlie the rejection in the final Office Action that occurred during the 4 September 2002 interview and further in view of comments provided by Examiner Yu in the Advisory Action dated 27 November 2002 and the information provided by Examiners Yu and Caputa in the telephone interview conducted on 2 January 2003.

Please amend the application as follows.

**In the Claims:**

Please amend claims 1 and 66 to read as follows. For the Examiner's convenience, a "**Marked-Up Copy of Claims Amended**" is enclosed with this Amendment, wherein text added to the claims is underlined and text deleted from the claims is ~~struck-through~~. The Applicant has also enclosed a "**Clean Copy of Claims, as Amended**," in which a copy of all pending claims, following entry of this Preliminary Amendment, is listed in an order which the Applicant suggests would be appropriate for issue.

Please amend claims 1 and 66 to read as follows.

1. (Amended) A method of inducing tumor cell death in a human patient, the method comprising